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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,340	11/29/2001	Robert A. Botham	1662-41500 JMH (P01-3632)	6075
23505	7590	10/17/2003	EXAMINER	
CONLEY ROSE, P.C. P. O. BOX 3267 HOUSTON, TX 77253-3267			BUCHANAN, CHRISTOPHER R	
			ART UNIT	PAPER NUMBER
			3627	

DATE MAILED: 10/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/997,340

Applicant(s)

BOTHAM ET AL.

Examiner

Christopher R Buchanan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sanschagrín et al. alone.

With regard to claim 1, Sanschagrín discloses a method for reconciling physical inventory against an asset management database (see abstract) that includes taking a physical inventory, creating raw inventory data (14, Fig. 4, col. 6 line 15+), transferring the inventory data to a server (col. 6 line 18+, see Fig. 4), assessing a copy of the asset management database (12), reconciling the raw inventory data against the asset management database (13-3, Fig. 4, col. 3 line 7+), and updating the asset management database based on the reconciling step (13-3, Fig. 4, 17, Fig. 5). Sanschagrín does not show the physical inventory data to be converted into an intermediate database, however, it would be obvious to one skilled in the art that data could be compiled into a database at any time.

With regard to claims 2 and 3, the data includes a variety of information, such as location, ID codes, etc. (col. 4 line 54+). It is well-known to use hand held scanners to scan codes on inventory items. With regard to claims 4-11, it is well-

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known and common practice to store data in various formats (ASCII or SQL, for example) and to transfer data by various means (ftp, e-mail, internet, temporary storage, etc.). With regard to claim 12, the process controllers are identified (col. 4 line 40+). With regard to claims 13-16, physical inventory data and the asset management database are compared and reconciled, reconciled records are created and accepted, and the asset management database is updated (col. 3 line 7+, col. 4 line 61+, col. 6 line 34+, Fig. 4). A variety of web browsers are available and it would be obvious to one skilled in the art that any of these could be used to enable the user to interface with the computer system. With regard to claim 17, the inventory could include computer assets (col. 4 line 40+).

3. Claims 18-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sanschagrin et al. alone.

With regard to claim 18, Sanschagrin discloses a method for reconciling physical inventory against an asset management database (see abstract) that includes taking a physical inventory to create inventory data (14, Fig. 4, col. 6 line 15+), transferring the inventory data to a server (col. 6 line 18+, see Fig. 4), assessing a copy of the asset management database (12), reconciling the raw inventory data against the asset management database (13-3, Fig. 4, col. 3 line 7+), and updating the asset management database based on the reconciling step (13-3, Fig. 4, 17, Fig. 5). Sanschagrin does not show the physical inventory data to be converted into an intermediate database or for a hand held scanner to be used, however, it would be obvious to one skilled in the art that data could be

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compiled into a database at any time and it is well-known to use hand held scanners to scan codes on inventory items. With regard to claims 19 and 20, the data includes a variety of information, such as location, ID codes, etc. (col. 4 line 54+). With regard to claims 21-27, it is well-known and common practice to store data in various formats (ASCII or SQL, for example) and to transfer data by various means (ftp, e-mail, internet, temporary storage, etc.). With regard to claims 28-33, it would be obvious to one skilled in the art that various indicia could be used to identify records to allow searching and other manipulations.

4. Claims 34-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sanschagrín et al. alone.

With regard to claim 34, Sanschagrín discloses a method for reconciling physical inventory against an asset management database (see abstract) that includes taking a physical inventory to create inventory data (14, Fig. 4, col. 6 line 15+), transferring the inventory data to a server (col. 6 line 18+, see Fig. 4), assessing a copy of the asset management database (12), reconciling the raw inventory data against the asset management database (13-3, Fig. 4, col. 3 line 7+), and updating the asset management database based on the reconciling step (13-3, Fig. 4, 17, Fig. 5). Sanschagrín does not show the physical inventory data to be converted into an intermediate database, for a hand held scanner to be used, or for identifying indicia to be placed on records, however, it would be obvious to one skilled in the art that data could be compiled into a database at any time and it is well-known to use hand held scanners to scan codes on

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inventory items and to placed various indicia on items for a variety of purposes. With regard to claims 35-37, the data includes a variety of information, such as location, ID codes, etc. (col. 4 line 54+) and it would be obvious to one skilled in the art that various indicia could be used to identify records to allow searching and other manipulations. With regard to claim 38, it is well-known and common practice to store data in various formats (ASCII or SQL, for example) and to transfer data by various means (ftp, e-mail, internet, temporary storage, etc.). With regard to claim 39, it would be obvious to one skilled in the art that data could be stored at a variety of locations and operations could be performed at a variety of locations.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chu et al. disclose a system for reconciling an inventory database, wherein a user scans data using a hand-held device. Lester et al. disclose a system for managing drug inventory, wherein users scan information into a web-based software program with a hand-held scanner. Hickman et al. disclose a system for updating a database of distributed assets.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R Buchanan whose telephone number is 703-306-5782. The examiner can normally be reached on M-T 9-7.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on 703-308-5183. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.



Christopher Buchanan  
October 14, 2003



Richard Chilcot  
Supervisory Patent Examiner  
Technology Center 2800

3600